

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RONALD J. DORAN and JOAN
C. DORAN,
Plaintiffs,

v.

In Admiralty

CAMMIE KENDRICK, Official
Number 1050936, its engines,
tackle, equipment, permits, and
appurtenances, in rem; and
WALTER N. LEWIS III and
NICOLE M. LEWIS, in personam,

Defendants.

Civil Cause No. 04 10168 DPW

APPLICATION FOR IN REM DEFAULT JUDGMENT

Plaintiffs Ronald J. Doran and Joan C. Doran move pursuant to Fed. R. Civ. P. 55(b) for entry of a default judgment against in rem defendant vessel CAMMIE KENDRICK, Official Number 1050936, its engines, tackle, equipment, permits, and appurtenances for \$70,298 as of March 26, 2004; plus \$30/day storage and \$28.94/day interest through the Marshal's sale; plus attorney's fees, costs, and in custodia legis expenses as might be subsequently itemized by plaintiffs and approved by the Court.

The dollar damages are accounted for in the Affidavit of Ronald J. Doran in Support of Ex Parte Motions for Summary Judgment and Sale of Vessel at ¶¶ 3-6, dated March 26, 2004, which also supports judgment against the in rem defendant vessel:

(b) On default of any term of the preferred mortgage, the mortgagee may—

(1) enforce the preferred mortgage lien in a civil action in rem for a documented vessel,...

46 U.S.C. § 31325(b)(1). See also Order at ¶ 2 (June 2, 2004).

Undersigned counsel files electronically herewith his Affidavit of David J. Farrell, Jr. In Support of In Rem Default Judgment showing that the in rem defendant vessel is neither an incompetent person nor an infant nor in the military service.

Filed herewith by e-mail is a proposed In Rem Default Judgment.

RESPECTFULLY SUBMITTED by e-mail this 3d day of June 2004.

DAVID J. FARRELL, JR.
Attorney for Plaintiffs

/s/ David J. Farrell, Jr.
BBO #559847
2355 Main Street
P.O. Box 186
S. Chatham, MA 02659
(508) 432-2121